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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: X. Liu

Date: January 23, 2002

Serial No.: 09/943,416

Attorney Docket No: 034928-0112

Filed: August 30, 2001

Group Art Unit: 1645

For: **METHOD FOR DETERMINING ALLELES**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 23, 2002.

Robert N. Young

(Name of applicant, assignee or Registered Representative)

(Signature)

January 23, 2002

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INFORMATION DISCLOSURE STATEMENT

U.S. Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

Submitted herewith on Form PTO-1449 and presented below is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97 and 1.98.

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UNITED STATES PATENTS

| <u>Inventor(s)</u> | <u>Patent No.</u> | <u>Issue Date</u> |
|---------------------|-------------------|-------------------|
| Wu | 5,387,505 | Feb. 7, 1995 |
| Baxter-Lowe, et al. | 5,468,611 | Nov. 21, 1995 |
| Gudibande, et al. | 5,597,910 | Jan. 28, 1997 |
| Baxter-Lowe, et al. | 5,702,885 | Dec. 30, 1997 |

FOREIGN PATENTS

| <u>Patent No.</u> | <u>Publication Date</u> | <u>Country</u> |
|-------------------|-------------------------|----------------|
| EP 0 543 222 A1 | Jun. 26, 1993 | Europe |
| EP 0 575 845 A2 | Dec. 29, 1993 | Europe |
| EP 0 672 179 B1 | Jul. 8, 1998 | Europe |
| WO 89/11547 | Nov. 30, 1989 | PCT |
| WO 92/10589 | Jun. 25, 1992 | PCT |
| WO 93/05179 | Mar. 18, 1993 | PCT |
| WO 95/01453 | Jan. 12, 1995 | PCT |
| WO 95/07345 | Mar. 16, 1995 | PCT |
| WO 97/20070 | Jun. 5, 1997 | PCT |
| WO 97/20197 | Jun. 5, 1997 | PCT |

OTHER DOCUMENTS

Clay, T. M., et al., "PCR-fingerprinting for selection of HLA matched unrelated marrow donors," *The Lancet*, Vol. 337, No. 8749, pp. 1049-1052. May 4, 1991, published by Lancet Publishing Grove; subsidiary of Reed Elsevier plc.

Eiermann, T. H., et al., "HLA-DPB1 oligonucleotide typing of a Southwest German Caucasian population," *Tissue Antigens*, Vol. 38, pp. 193-198, 1991, published by Blackwell Munksgaard.

Landergren, U., "Detection of Mutations in Human DNA," *GATA*, Vol. 9, No. 1, pp. 3-8, 1992, published by Elsevier Science Publishing Co., Inc.

Zimmerman, P. A., et al., "Exploiting structural differences among heteroduplex molecules to simplify genotyping the DQA1 and DQB1 alleles in human lymphocyte typing," *Nucleic Acids Research*, Vol. 21, No. 19, pp. 4541-4547, 1993, published by Information Retrieval Ltd., London, Arlington.

Grompe, M., "The rapid detection of unknown mutations in nucleic acids," *Nature Genet.*, Vol. 5, pp. 111-117, October, 1993, published by Macmillan Magazines Ltd.; subsidiary of Macmillan Publishers Ltd.

Allen, M., et al., "A Comprehensive Polymerase Chain Reaction-Oligonucleotide Typing System for the HLA Class I A Locus," *Human Immunology*, Vol. 40, pp. 25-32, 1994, published by the American Society for Histocompatibility and Immunogenetics.

Gao, X, et al., "Characterization of the HLA-A Polymorphism by Locus-Specific Polymerase Chain Reaction Amplification and Oligonucleotide Hybridization," *Human Immunology*, Vol. 41, pp. 267-279, 1994, published by the American Society for Histocompatibility and Immunogenetics.

Zimmerman, P. A., et al., "Optimizing Probe Selection in Directed Heteroduplex Analysis Using HDProbe 1.1," *BioTechniques*, Vol. 19, No. 6, pp. 972-977, December 1995, published by Eaton Publishing Co.

"Biomagnetic Techniques in Molecular Biology," Technical Handbook, Second Edition, p. 116, 1995, published by Dynal A. S., Oslo, Norway.

Zimmerman, P. A., et al., "Migration of a Novel DQA1* Allele (DQA1*0502) from African Origin to North and South America," *Human Immunology*, Vol. 42, pp. 233-240, 1995, published by the American Society for Histocompatibility and Immunogenetics.

Arguello, R., et al., "A novel method for simultaneous high resolution identification of HLA-A, HLA-B, and HLA-Cw alleles," *Immunology*, Vol. 93, pp. 10961-10965, October 1996, published by Natl. Acad. Sci. USA.

REMARKS

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

Applicants believe that this Information Disclosure Statement is being submitted prior to the mailing of an Office Action on the merits as set forth in 37 C.F.R. § 1.97(b)(3). Therefore, Applicants believe that no fee is due for this filing. In the event that an Office Action on the merits has been mailed, then Applicants submit this Information Disclosure Statement under 37 C.F.R. § 1.97(c)(2). Should any fee be due, the Patent Office is hereby authorized to charge any fees required for this filing to deposit account no. 06-1447. For the purpose of charging said deposit account, a duplicate of this document is submitted herewith.

It is requested that the foregoing documents be considered during examination of the accompanying application and be made of record therein.

Respectfully submitted,

Date 1/23/02

By 

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